

Calendar No. 723

100TH CONGRESS
2D SESSION**H. R. 2213**

IN THE SENATE OF THE UNITED STATES

JUNE 9 (legislative day, JUNE 5), 1988

Received; read twice and placed on the calendar pursuant to the order of June 6,
1988

AN ACT

To require certain telephones to be hearing aid compatible.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hearing Aid Compatibil-
5 ity Act of 1988”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) to the fullest extent made possible by technol-
9 ogy and medical science, hearing-impaired persons
10 should have equal access to the national telecommuni-
11 cations network;

1 (2) present technology provides effective coupling
2 of telephones to hearing aids used by some severely
3 hearing-impaired persons for communicating by voice
4 telephone;

5 (3) anticipated improvements in both telephone
6 and hearing aid technologies promise greater access in
7 the future; and

8 (4) universal telephone service for hearing-im-
9 paired persons will lead to greater employment oppor-
10 tunities and increased productivity.

11 **SEC. 3. AMENDMENTS.**

12 (a) **HEARING AID COMPATIBILITY REQUIREMENTS.**—
13 Subsection (b) of section 710 of the Communications Act of
14 1934 (47 U.S.C. 610(b)) is amended to read as follows:

15 “(b)(1) Except as provided in paragraphs (2) and (3), the
16 Commission shall require that—

17 “(A) all essential telephones, and

18 “(B) all telephones manufactured in the United
19 States (other than for export), or imported for use in
20 the United States, more than one year after the date of
21 enactment of the Hearing Aid Compatibility Act of
22 1988,

23 provide internal means for effective use with hearing aids
24 that are designed to be compatible with telephones which

1 meet established technical standards for hearing aid compat-
2 ibility.

3 “(2) The initial regulations prescribed by the Commis-
4 sion under paragraph (1) of this subsection after the date of
5 enactment of the Hearing Aid Compatibility Act of 1988
6 shall exempt from the requirements established pursuant to
7 paragraph (1)(B) of this subsection only—

8 “(A) telephones used with public mobile services;

9 “(B) telephones used with private radio services;

10 “(C) cordless telephones; and

11 “(D) secure telephones.

12 The exemption provided by such regulations to cordless tele-
13 phones shall not apply with respect to cordless telephones
14 manufactured or imported more than three years after the
15 date of enactment of the Hearing Aid Compatibility Act of
16 1988.

17 “(3 The Commission may, upon the application of any
18 interested person, initiate a proceeding to waive the require-
19 ments of paragraph (1)(B) of this subsection with respect to
20 terminal equipment associated with a new technology or
21 service. The Commission shall not grant such a waiver unless
22 the Commission determines, on the basis of evidence in the
23 record of such proceeding, that such technology or service is
24 in the public interest, and that (A) compliance with the re-
25 quirements of paragraph (1)(B) is technologically infeasible,

1 or (B) compliance with such requirements would increase the
2 costs of the technology or service to such an extent that the
3 technology or service could not be successfully marketed. In
4 any proceeding under this paragraph to grant a waiver from
5 the requirements of paragraph (1)(B), the Commission shall
6 consider the effect on hearing-impaired individuals of grant-
7 ing the waiver. The Commission shall periodically review
8 and determine the continuing need for any waiver granted
9 pursuant to this paragraph.

10 “(4) For purposes of this subsection—

11 “(A) the term ‘essential telephones’ means only
12 coin-operated telephones, telephones provided for emer-
13 gency use, and other telephones frequently needed for
14 use by persons using such hearing aids;

15 “(B) the term ‘public mobile services’ means air-
16 to-ground radiotelephone services, cellular radio tele-
17 communications services, offshore radio, rural radio
18 service, public land mobile telephone service, and other
19 common carrier radio communication services covered
20 by part 22 of title 47 of the Code of Federal Regula-
21 tions;

22 “(C) the term ‘private radio services’ means pri-
23 vate land mobile radio services and other communica-
24 tions services characterized by the Commission in its
25 rules as private radio services; and

5 (b) CONFORMING AMENDMENT.—Section 710(f) of the
6 Communications Act of 1934 is amended by striking out the
7 second sentence and inserting the following: “The Commis-
8 sion shall complete rulemaking actions required to implement
9 the amendments made by the Hearing Aid Compatibility Act
10 of 1988 within nine months after the date of enactment of
11 such Act. Thereafter, the Commission shall periodically
12 review the regulations established pursuant to this section.”.

Passed the House of Representatives June 8, 1988.

Attest: DONNALD K. ANDERSON,
Clerk.

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